

AN ORDINANCE PROVIDING FOR THE ANNEXATION TO THE CITY OF ST. MARY EXISTING CORPORATE LIMITS OF THE CITY OF ST. MARY, MISSOURI, CERTAIN REAL PROPERTY OWNED BY SALINE LODGE NO. 226 OF ANCIENT, FREE AND ACCEPTED MASONS AND CERTAIN REAL PROPERTY OWNED BY CITY OF ST. MARY, MISSOURI

WHEREAS, a verified petition requesting annexation and signed by the owners of all fee interest of record in the area proposed to be annexed has been presented to the Board of Aldermen of the City of St. Mary; and

WHEREAS, said area proposed to be annexed is not now a part of any incorporated municipality; and

WHEREAS, said area proposed to be annexed is contiguous to the existing City limits of the City of St. Mary, Missouri; and

WHEREAS, this Board has held a public hearing concerning the matter not less than fourteen (14) nor more than sixty (60) days after the date the petition was filed, said date being March 12, 1991; and

WHEREAS, said hearing has been held not less than fourteen (14) days after notice of the hearing was published in the Ste. Genevieve Herald, a newspaper qualified to publish legal matters; and

WHEREAS, the Board of Aldermen of the City of St. Mary have determined that the annexation is reasonable and necessary to the proper development of the City of St. Mary, and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time; and

WHEREAS, no written objection to the proposed annexation was filed with the governing body of the City of St. Mary within fourteen (14) days after the public hearing held April 9, 1991, it is hereby resolved that the City limits of the City of St. Mary shall be extended to include the following described real property located in Ste. Genevieve County, Missouri, to-wit:

TRACT 1

Part of United States Survey 1862, Township 37 North Range 10 East of the Fifth Principal Meridian, Ste. Genevieve County, Missouri being more particularly described as follows: Beginning at an 18 inch Hickory tree the most Southern corner of a 9.9 acre tract recorded in Book 238 at Page 276 of the Ste. Genevieve County Deed Records; thence along the Southeast line of said 9.9 acre tract, North 42 degrees 59 minutes 21 seconds East 770.46 feet to a 24 inch Black Oak; thence

North 57 degrees 38 minutes 34 seconds East 305.94 feet to an iron pin at the Southeast corner of said 9.9 acre tract and on the South line of Lot 51 of Prince Gardner Second Addition in the City of St. Mary's, Missouri; thence along said South line South 64 degrees 11 minutes 00 seconds East 75.40 feet to an iron pin; thence South 64 degrees 16 minutes 00 seconds East 104.80 feet to an iron pin on the Northwest right-of-way of State Highway 61; thence along said right-of-way, South 42 degrees 43 minutes 18 seconds West 127.38 feet; thence South 47 degrees 16 minutes 31 seconds East 10.00 feet; thence South 42 degrees 43 minutes 18 seconds West 138.69 feet; thence South 46 degrees 03 minutes 50 seconds West 838.88 feet to an iron pin; thence leaving said right-of-way, North 51 degrees 16 minutes 35 seconds West 216.29 feet to the point of beginning and containing 5.72 acres.

Also including owner's interest in that portion of Highway 61 lying Southeast of the above described property and extending to the centerline of said Highway 61.

Subject to all easements and restriction of record or in effect.

LESS AND EXCEPT part of a 5.72 acre tract, being part of United States Survey 1862, Township 37 North, Range 10 East of the Fifth Principal Meridian, Ste. Genevieve County, Missouri, and being more particularly described as follows: Beginning at an 18 inch Hickory tree at the Westernmost corner of said 5.72 acre tract and being the Southernmost corner of a 9.9 acre tract recorded in Book 238, at Page 276 of the Ste. Genevieve County Deed Records; thence along the Southeast line of said 9.9 acre tract North 42 degrees 59 minutes 21 seconds East 197.10 feet; thence leaving said Southeast line South 51 degrees 16 minutes 35 seconds East 226.94 feet to the Northwest right-of-way of State Highway "61"; thence along said right-of-way South 46 degrees 03 minutes 50 seconds West 198.18 feet to an iron pin the most Southern corner of said 5.72 acre tract; thence North 51 degrees 16 minutes 35 seconds West 216.29 feet to the point of beginning and containing 1.00 acre.

Subject to all easements and restrictions of record or in effect.

TRACT 2

All that part of United States Survey No. 1862 in Township 37 North Range 10 East which is described as follows, to-wit: Beginning at the most Southern corner of Lot No. 49 of the second addition of Prince Gardner Addition to the City of St. Marys, Missouri, and running thence, with the Southern line of said Prince Gardner Addition, North 32 deg. -04 min. West 261.20 feet to a corner. Thence North 28 deg. -35 min. West 40.80 feet to a corner. Thence, departing from the said Prince Gardner Addition, running South 46 deg. -30 min. West 1137 feet to a corner.

Thence South 51 deg. -30 min. East 425 feet to a 18" Hickory for a corner. Thence North 41 deg. -30 min. East 770 feet to a 24" B.O. for a corner. Thence North 59 deg. East 305 feet to a corner in the South line of above mentioned Prince Gardner Addition. Thence with the South line thereof, North 61 deg. -02 min. West 152.60 feet to the place of beginning, containing 9.90 acres. LESS the following described tract deeded to Bartels Real Estate by Warranty Deed dated September 22, 1970, to-wit: that part of United States Survey No. 1862, being a small portion of a 9.90 acre parcel, which is described as follows: Beginning at the Northwest or most Western corner of Lot No. 47 of the Second Addition of Prince Gardner Addition to the City of St. Marys, Missouri and running thence South 52 deg. West 92 feet to the place of beginning of parcel herein conveyed. Thence South 19 deg. -30 min. West 130 feet, Thence North 73 deg. West

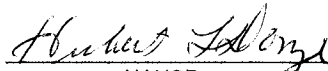
108 feet to a corner. Thence North 46 deg. -30 min. East 174 feet. Thence South 34 deg. East 35 feet to the place of beginning.
Subject to sale of mineral rights to Mississippi Lime Company.

BE IT FURTHER RESOLVED, that the Clerk of the City of St. Mary be ordered to cause three (3) certified copies of this ordinance to be filed with the Clerk of Ste. Genevieve County on the first business day after the enactment of this ordinance.

SECTION 1. All ordinances or parts of ordinances in conflict with this ordinance shall be, and the same are hereby repealed insofar as they may so conflict.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval.

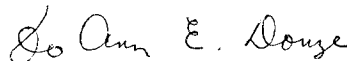
READ THREE TIMES AND PASSED THIS 14th DAY OF May, 1991.


MAYOR

ATTEST: 
CLERK

<u>ALDERMEN</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Francis Bader	X			
Henry Coffman	X			
Robert Schultz	X			
Stephen Schwent	X			

I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri, do hereby certify that the foregoing ordinance was duly passed and adopted by the Board of Aldermen of the City of St. Mary, Missouri at a regular meeting thereof assembled this the 14th day of May, 1991.


CITY CLERK